

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

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MAGTEN ASSET MANAGEMENT CORP.,	)	)
	)	)
Plaintiff,	)	)
	)	)
v.	)	C.A. Action No. 05-499 (JJF)
	)	)
MICHAEL J. HANSON and ERNIE J. KINDT,	)	)
	)	)
Defendants.	)	)

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**MAGTEN ASSET MANAGEMENT CORPORATION'S MOTION IN LIMINE TO  
EXCLUDE THE EXPERT REPORT AND TESTIMONY OF STEPHEN J. SCHERF**

Plaintiff Magten Asset Management Corporation (the "Plaintiff") hereby moves to exclude the expert report and testimony of Stephen J. Scherf for the reasons set forth in Plaintiff's Memorandum of Law and Declaration of John W. Brewer filed contemporaneously herewith.

Respectfully submitted,

Dated: January 31, 2008

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 31<sup>st</sup> day of January, 2008, I served by hand delivery and electronic filing MAGTEN ASSET MANAGEMENT CORPORATION'S MOTION IN LIMINE TO EXCLUDE THE EXPERT REPORT AND TESTIMONY OF STEPHEN J. SCHERF using CM/ECF, which will send notification of such filing(s) to the following:

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I also certify that, on this 31<sup>st</sup> day of January, 2008, I served the aforementioned document, by email and Federal Express, upon the following participants:

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